

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARTHUR LEON JONES,

Plaintiff,

Case No. 1:19-cv-99

v.

Honorable Gordon J. Quist

HEIDI WASHINGTON et al.,

Defendants.

AMENDED ORDER LIFTING STAY AND FOR SERVICE

This is a prisoner civil rights action. The Court previously reviewed the complaint under 28 U.S.C. § 1915A and 42 U.S.C. § 1997e(c), to determine whether it was frivolous, malicious, failed to state a claim upon which relief could be granted or sought monetary relief against a defendant that was immune from such relief. The Court then referred the case to the *Pro Se* Prisoner Civil Rights Litigation Early Mediation Program and entered an order staying the case for any purpose other than mediation. The case was not resolved through the early mediation program. Accordingly, in an order issued on September 30, 2020, the Court issued an order lifting the stay and for service (ECF No. 19). The caption of that order, however, named an incorrect Defendant in the caption of the complaint. Accordingly,

IT IS ORDERED that the order lifting the stay and for service issued on September 30, 2020 (ECF No. 19) is **VACATED**, and this Amended Order Lifting Stay and for Service take its place.

IT IS FURTHER ORDERED that the stay of this proceeding that was entered to facilitate the mediation is **LIFTED**.

IT IS FURTHER ORDERED that the 90-day period for service set forth in Federal Rule of Civil Procedure 4(m) shall run, starting with the date of this order.

IT IS ORDERED that the Clerk shall issue a summons for each Defendant and send the summonses to Plaintiff with a copy of this order and one copy of the complaint and any exhibits. Because Plaintiff is not proceeding *in forma pauperis* in this action, he is responsible for service of the summons and complaint upon each Defendant. *See* Fed. R. Civ. P. 4.

IT IS FURTHER ORDERED that each Defendant shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, no Defendant is required to file an answer or motion in response to the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1). After a Defendant has filed an appearance, proceedings in this case will be governed by the Court's Standard Case Management Order in a Prisoner Civil Rights Case.

Dated: September 30, 2020

/s/ Ray Kent
Ray Kent
United States Magistrate Judge